

In re: Kong et al.  
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#### REMARKS

This is in response to the Official Action mailed May 6, 2003 (Paper No. 14). Applicant's note with appreciation, the courtesy and professionalism of the Examiner during the recent Office Interview. As set forth in the Interview Summary, the best method of presenting the invention with the respect to the prior art is an emphasis on its particular, structural features.

Accordingly and also in an effort to reduce the number of issues under consideration, certain aspects of the invention have been combined in a newly-presented, independent Claim 49, with a few dependent claims for complimentary purposes. The remainder of the claims have been cancelled.

New Claim 49 is based on previous claims 21 and 30, Figure 6, and the specification at page 9, line 14 through page 10, line 14. Claim 49 recites a chemical vapor deposition system, the main portion of which is a susceptor form of an inverted, truncated cone defined by a plurality of adjacent, straight, sidewall sections. In particular, Claim 49 has been written to include the transitional phrase, "consisting essentially of," which is properly understood in the Office and under the case law to signal that the claimed invention, "necessarily includes the listed ingredients, and is open in a limited fashion to unlisted ingredients that do not materially affect the basic and novel properties of the invention," *PPG Industries v. Guardian Industries Corp.*, 156 F.3d 1351 (Fed Cir. 1998).

In this case, the Ohmura '272 patent is the closest prior art that has been applied to the structure recited in Claim 49, particularly the second susceptor portion illustrated at 5 in Ohmura's Figure 1. In comparison to Ohmura's element 5, the claimed invention is an inverted truncated cone, while element 5 merely has slightly inclined sidewalls, but is otherwise in the shape of a right cylinder. Furthermore, by including the "consisting essentially of" transition language, Claim 49 excludes Ohmura's first susceptor (2). This exclusion is consistent with the specification and claims as originally filed, and is particularly consistent with the recitations that describe the susceptor portions as being close enough to

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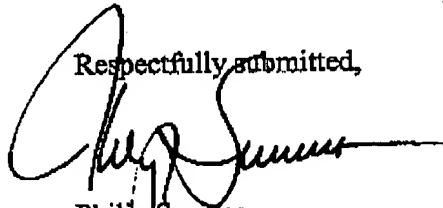
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one another for facing walls of the susceptor portions to heat the exposed face of a wafer to substantially the same temperature as the face that rests directly upon the susceptor. The goal, as set forth in the specification as filed, is to minimize and potentially eliminate temperature gradients over the surface of a wafer during epitaxial growth, particularly at the high temperatures required for epitaxial growth of silicon carbide.

The remaining claims have been canceled with the exception of Claims 22 and 24, which have been amended to depend from new Claim 49.

Accordingly, Applicants submit that Claim 49 defines over the art and the rejection as applied to date, and respectfully requests that Claim 49 be passed to allowance at the earliest possible opportunity.

Respectfully submitted,

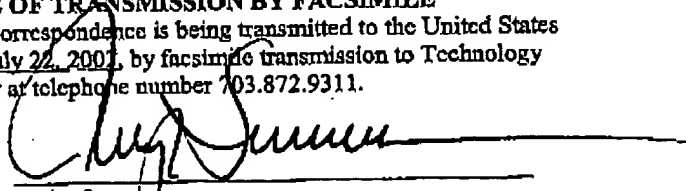


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I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office on July 22, 2003, by facsimile transmission to Technology Center 1700, c/o Examiner Kackar at telephone number 703.872.9311.

  
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